

REMARKS

This Amendment is submitted in response to the official action dated December 3, 2007. Claims 1-11, 49-63, 87-92, and 94-96 were pending in the application. In the official action, claims 1-11, 49-63, 87-92, and 94-96 were rejected. In this Amendment, claims 1, 11, and 49 have been amended. Claims 1-11, 49-63, and 87-92, and 94-96 thus remain for consideration.

Applicants submit that claims 1-11, 49-63, 87-92, and 94-96 are in condition for allowance and request withdrawal of the rejections in light of the following remarks.

§102 Rejections

Claims 1-11, 49-63, 87-92, and 94-96 were rejected under 35 U.S.C. §102(b) as being anticipated by Daggar (U.S. Patent No. 5,748,737).

Applicants submit that independent claims 1, 11, and 49 are patentable over Daggar.

Applicants' invention as recited in claims 1, 11, and 49 is directed toward a data reproducing apparatus and a data reproducing method. Each of claims recites that reproduction "right data" is updated or changed upon reproduction of "contents data," and that the right data is updated or changed according to subordinate data which corresponds to the contents data. Each of the claims further recites that "said contents data include[es] at least one of audio data and video data." Supporting disclosure for the contents data recitation can be found in the specification at, for example, page 51, lines 13-18.

Daggar does not disclose updating or changing reproduction right data according to subordinate data upon reproduction of contents data, wherein the contents data includes at least one of audio data and video data. In particular, Applicants note that although Daggar discloses a voice recognition interface as

a user interface means, Daggar fails to teach or suggest audio data or video data as contents data for reproduction.

Accordingly, Applicants believe that claims 1, 11, and 49 are patentable over Daggar on at least this basis.

In addition, claims 1, 11, and 49 of the present application recite that the subordinate data includes a "reproduction conditions label." Supporting disclosure for the inclusion of a "reproduction condition label" in the subordinate data can be found in the specification at, for example, page 31, line 18 - page 32, line 12.

Daggar does not disclose a "reproduction conditions label," let alone updating or changing reproduction right data according to subordinate data that includes a "reproduction conditions label." Accordingly, Applicants believe that the claims 1, 11, and 49 are patentable over Daggar on at least this basis.

Further, since dependent claims inherit the limitations of their respective base claims, Applicants believe that dependent claims 2-10, 50-63, 87-92, and 94-96 are patentable over Daggar for at least the same reasons as discussed in connection with claims 1, 11, and 49.

Applicants respectfully submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited. If any issues remain, or if the Examiner has any further suggestions, he/she is invited to telephone the undersigned at (908) 654-5000.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.

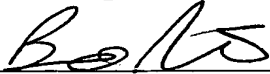
Application No.: 09/869,816

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The Examiner's consideration of this matter is gratefully acknowledged.

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Respectfully submitted,

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